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By:

Erica M. Simon

PATENT

Customer Number: 22,852

Attorney Docket No. 04853.0072-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Norimasa OKUDA et al.

Serial No.: 09/870,483

Filed: June 1, 2001

Title: A METHOD FOR PRODUCING
ALPHA-HYDROXYCARBOXYLIC
ACID

Group Art Unit: 1625

Examiner: Taylor V. OH

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed, to the undersigned's knowledge, before the mailing date of a first Office Action after the filing of a Request for Continued Examination in the above-referenced application.

Copies of the listed documents, including any copending patent applications, are attached.

The documents listed in this Information Disclosure Statement were first cited in communications from the Japanese Patent Office in counterpart foreign applications. This Information Disclosure Statement is being filed within three months of the mailing date of those communications. Copies of the communications from the Japanese Patent Office, dated January 13, 2004, and January 20, 2004, are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

English translations of each abstract and claims are enclosed for Publication Numbers 10-059895 and 04-193845.

English translations of the abstract are enclosed for Publication Number 02-229135.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

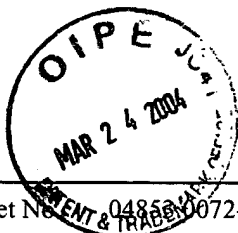
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 24, 2004

By: 

William R. Lambert
Reg. No. 44,857



INFORMATION DISCLOSURE CITATION

Atty. Docket No. 048530-072-00000	Appln. No. 09/870,483
Applicant Norimasa OKUDA et al.	
Filing Date June 1, 2001	Group: 1625

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
02-229135	09/11/1990	JP			Yes, abstract only.
04-193845	07/13/1992	JP			Yes, abstract and claims only.
10-059895	03/03/1998	JP			Yes, abstract and claims only.

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Effenberger et al., "Enzyme-catalyzed synthesis of (S)-cyanohydrins and subsequent hydrolysis to (S)-alpha-hydroxy-carboxylic acids," <i>Tetrahedron Letters</i> , 31(9):1249-1252 (1990).
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Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce